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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 * * *

6 TONYA BURKS,

7 Plaintiff,

8 v.

9 WESTLAND HACIENDA HILLS, LLC,

10 Defendant.

Case No. 2:19-cv-02168-RFB-DJA

11 **ORDER**

12 This matter is before the Court on *pro se* Plaintiff Tonya Burks' Motion to Compel (ECF
13 No. 18) and Motion for Recusal of Judge (ECF No. 19), filed on September 15, 2020. The Court
14 previously granted her *in forma pauperis* status and issued a screening order permitting her to
15 proceed on the Second Amended Complaint on June 29, 2020. (ECF Nos. 6 and 10). Further,
16 Defendant has appeared and filed a responsive pleading on September 1, 2020. (ECF No. 15).

17 Plaintiff has filed a premature motion to compel. She is required by Fed.R.Civ.P. 26 to
18 initiate the scheduling conference and meet and confer with Defendant to agree on a proposed
19 discovery plan that complies with Local Rule 26-1. As such, discovery has not opened and no
20 discovery may be compelled at this time. The Court will deny her motion to compel without
21 prejudice. Similarly, her request for the recusal of Judge Youchah lacks merit as she is not a
22 judge who is assigned to this case. The Court will deny that request.

23 **IT IS HERBY ORDERED** that Plaintiff Tonya Burks' Motion to Compel (ECF No. 18)
24 and Motion for Recusal of Judge (ECF No. 19) are **denied**.

25 DATED: September 15, 2020.

26 
27 DANIEL J. ALBREGTS
28 UNITED STATES MAGISTRATE JUDGE